

RECEIVED  
CENTRAL FAX CENTER  
JUN 06 2006

PERKINS COIE LLP- MENLO PARK

FAX NUMBER: (650) 838-4350

IF THERE ARE PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL:  
(650) 838-4321

June 6, 2006

TO: USPTO - Central  
FAX NO. 571 273-8300

Cover Sheet & 4 pages

FROM: Gina C. Freschi  
Reg. No. 52,062

Attorney Docket No.: 57636-8020.US00

RE: U.S. Patent Application Ser. No. 09/461,684

I hereby certify that this communication is being transmitted via telefacsimile to the United States Patent and Trademark Office at (571) 273-8300 in the United States Patent and Trademark Office, Alexandria, VA on:

Date: June 6, 2006

By: Tina M. Ingrande  
Tina M. Ingrande

RECEIVED  
CENTRAL FAX CENTER

JUN 06 2006

CONFIDENTIAL

PRIVILEGED

PERKINS COIE LLP- MENLO PARK

FAX NUMBER: (650) 838-4350

IF THERE ARE PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL:

(650) 838-4341

Addressee: U.S. Patent and Trademark Office FAX NO. (571) 273-0842  
(COMPANY)  
Examiner M. DiBrino Direct Dial (571) 272-0842 0841  
(INDIVIDUAL)  
From: Gina C. Freschi Date June 5, 2006  
Cover Sheet & 2 pages Client Number 57636-8020.US00

Original document(s) will be: ☐ confirmation sent by mail ☒ held in our files

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

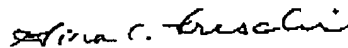
IN RE APPLICATION OF: Laus *et al.*  
SERIAL NO.: 09/461,684  
FILED: December 14, 1999  
FOR: COMPOSITIONS AND METHODS FOR  
ENHANCEMENT OF MAJOR HISTOCOMPATIBILITY  
COMPLEX CLASS I RESTRICTED ANTIGEN  
PRESENTATION

EXAMINER: M. DiBrino  
ART UNIT: 1614  
Confirmation No. 4142

Dear Examiner DiBrino:

Enclosed please find a Petition Withdrawal from Issue under 37 CFR 1.313(a) for Application Serial No. 09/461,684. Thank you for your assistance in this matter.

Very truly yours,



Gina C. Freschi  
Registration No. 52,062

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO 3778  
CONNECTION TEL 76388020915712730842  
SUBADDRESS  
CONNECTION ID  
ST. TIME 06/05 18:25  
USAGE T 00'58  
PGS. 3  
RESULT OK

CONFIDENTIAL

PRIVILEGED

PERKINS COIE LLP- MENLO PARK

FAX NUMBER: (650) 838-4350

IF THERE ARE PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL:  
(650) 838-4341

Addressee: U.S. Patent and Trademark Office FAX NO. (571) 273-0842  
(COMPANY)  
Examiner M. DiBrino Direct Dial (571) 272-0842  
(INDIVIDUAL)  
From: Gina C. Freschi Date June 5, 2006  
Cover Sheet & 2 pages Client Number 57636-8020.US00

Original document(s) will be: ☐ confirmation sent by mail ☒ held in our files

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: *Laus et al.*  
SERIAL No.: 09/461,684  
FILED: December 14, 1999  
FOR: COMPOSITIONS AND METHODS FOR  
ENHANCEMENT OF MAJOR HISTOCOMPATIBILITY  
COMPLEX CLASS I RESTRICTED ANTIGEN  
PRESENTATION

EXAMINER: M. DiBrino  
ART UNIT: 1644  
Confirmation No. 4142

Dear Examiner DiBrino:

Enclosed please find a Petition Withdrawal from Issue under 37 CFR 1.313(a) for Application Serial No. 09/461,684. Thank you for your assistance in this matter.

Very truly yours,

JUN 06 2006

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Laus, *et al.*

APPLICATION No.: 09/461,684

FILED: December 14, 1999

FOR: COMPOSITIONS AND METHODS FOR  
ENHANCEMENT OF MAJOR  
HISTOCOMPATIBILITY COMPLEX CLASS I  
RESTRICTED ANTIGEN PRESENTATION

EXAMINER: DiBrino, Marianne

ART UNIT: 1644

CONF. No: 4142

Petition Withdrawal from Issue under 37 CFR 1.313(a)Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants request that the Office withdraw the application from issue under 37 CFR 1.313(a) before payment of the issue fee. This request is directed to the Technology Center (TC) Director to which the application is assigned.

The Director is authorized to charge the fee of \$130.00 set forth in 37 CFR 1.17(h) to Deposit Account No. 50-2207, under Order No. 57636-8020.US00. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to Deposit Account No. 50-2207, under Order No. 57636-8020.US00.

06/07/2006 HDEMESS1 00000035 502207 09461684

01 FC:1464 130.00 DA

[57636-8020/57636-8020-petition.doc]

6/3/06

**Remarks****I. Petition for Withdrawal from Issue under 37 CFR 1.313(a)**

Regarding the showing of good and sufficient reasons why withdrawal of the application from issue is necessary, applicants note that where a restriction was required between a product and a process of making and/or using the product, and the product was elected and subsequently found allowable, a claim to a nonelected invention may be rejoined under MPEP § 821.04. Applicants seek to rejoin nonelected claims to methods employing the allowed product.

In addition, applicants note that SEQ ID NO:2 is contained within SEQ ID NO:4. In searching SEQ ID NO:4, the Examiner would have also searched SEQ ID NO:2. Applicants seek to reopen prosecution in order to clarify the scope of the subject matter searched, and the breadth of the allowed composition claim.

Applicants note that unless applicant receives a written communication from the Office that the application has been withdrawn from issue, the issue fee must be timely submitted to avoid abandonment. MPEP § 1308(I)(A).

- ☒ Fee (37 CFR § 1.17(h))    ☒ Small Entity:    \$130.00
- ☒ Please charge any underpayment for timely consideration of this paper to Deposit Account No. 50-2207.

Respectfully submitted,

Date: June 5, 2006

/Gina C. Freschi/  
Gina C. Freschi  
Registration No. 52,062

**Correspondence Address:**  
Customer No. 22918